

1 COUNSEL LISTED ON
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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 BLACKBERRY LIMITED,
13 a Canadian corporation,
14 Plaintiff,
15 v.
16 TWITTER, INC.,
17 a Delaware corporation,
18 Defendant.

19 Case No. 2:19-cv-01444-GW-KS

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**JOINT STIPULATION TO VACATE
ORDER AND DISMISS WITH
PREJUDICE ALL CLAIMS AND
COUNTERCLAIMS**

1 WHEREAS, on June 4, 2019, Plaintiff BlackBerry Limited filed a First
2 Amended Complaint against Defendant Twitter, Inc., asserting infringement claims
3 related to U.S. Patent Nos. 8,676,929 (Count I), 8,296,351 (Count II), 9,349,120
4 (Count III), 9,021,059 (Count IV), 8,286,089 (Count V), 8,572,182 (Count VI), and
5 8,825,777 (Count VII), Docket No. 36;

6 WHEREAS, on June 25, 2019, Twitter filed a Motion to Dismiss the First
7 Amended Complaint, Docket No. 39;

8 WHEREAS, on October 2, 2019, the Court entered a Final Ruling on Twitter's
9 Motion to Dismiss, dismissing BlackBerry's claims related to the '929, '351, '182,
10 and '777 patents, Docket No. 51 (the "MTD Order");

11 WHEREAS, the parties have now reached a settlement to dismiss the entirety
12 of this action with prejudice, which settlement calls for the parties to stipulate to
13 vacatur of the MTD Order and to jointly request dismissal of this case in its entirety;

14 It is hereby STIPULATED and AGREED by and between the parties that:

15 1. The parties request that the Court vacate its MTD Order, and dismiss
16 with prejudice all claims and counterclaims in this action;

17 2. The parties request that the Court vacate its November 14, 2019 Order
18 requiring a status report on January 6, 2020 and setting a status conference for January
19 9, 2020, Docket No. 57; and

20 3. Each party shall bear its own costs and attorneys' fees until and through
21 the date of the Court's vacatur of the MTD Order or dismissal of all claims and
22 counterclaims with prejudice in this action, whichever comes later.

23 || IT IS SO STIPULATED.

[Signature page follows]

1 Dated: December 24, 2019

Respectfully Submitted,

2 By /s/ James R. Asperger

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27 Counsel for Plaintiff BlackBerry Limited

1 Dated: December 24, 2019

Respectfully Submitted,

2 By /s/ Nicholas P. Groombridge

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ATTESTATION

Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), I, James R. Asperger, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

5 | Dated: December 24, 2019

By /s/ James R. Asperger
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